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J. ISAAC HIMOWITZ

DIRECT LINE: (202) 342-8602

EMAIL: jhimowitz@kelleydrye.com

December 19, 2006

VIA ELECTRONIC MAIL DELIVERY

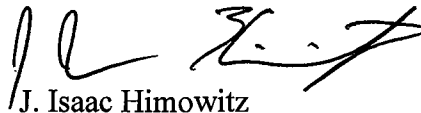
Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Corrected attachments to *Petition for Cease and Desist Order and for Sanctions against Patriot Communications LLC and McLeodUSA Incorporated*
CC Docket No. 95-155

Dear Ms. Dortch:

The attachments to our *Petition for Cease and Desist Order and for Sanctions against Patriot Communications LLC and McLeodUSA Incorporated* filed on December 15, 2006, contained a minor error in the heading of Attachment B. The heading should have identified Reese Butler of the Kristin Brooks Hope Center as the recipient of the e-mail. We have attached the corrected version to this letter. We apologize for any confusion.

Sincerely,



J. Isaac Himowitz

Counsel for Kristin Brooks Hope Center

Attachment

ATTACHMENT

A



Patriot Communications LLC

Toll Free Letter of Agency

Main Acct #: _____

Page: 1 of 1

Patriot Communications has authorization for the management and administration of our Toll-Free number(s) listed below. The undersigned toll free number holder ("the holder") appoints McLeodUSA ("ACC02") as the Responsible Organization ("RESP ORG") for the toll free numbers listed below. The holder attests that it is the exclusive end using subscriber of the toll free numbers listed and releases from liability any person to whom this letter is provided for carrying out the requested transfer of RESP ORG designation, as specified with this letter.

Toll Free Number/s:

<u>(800)784-2433</u>	<u>(888)784-2433</u>	<u>(877)784-2432</u>	<u>(877)968-8454</u>
<u>(877)838-2838</u>	<u>(800)442-4673</u>	<u>(800)722-9498</u>	<u>(800)827-7571</u>
<u>(866)771-1276</u>	<u>(866)968-8454</u>	<u>(877)968-8454</u>	_____
<u>(888)861-8460</u>	<u>(877)495-0009</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Provide the following information as it *exactly* appears on the most recent bill copy:

Company Name (holder): Kristin Brooke Hope Cntr

Current Billing Address: PO BOX 151293

(Street)

(Street)

ALEXANDRIA, VA, 223151293

(City, State, Zip)

We agree to pay all charges for toll-free service and any additional charges billed by previous provider(s) of service(s). The undersigned has read this LOA form, and by his/her signature acknowledges receipt of a copy of this form and agrees to the terms and conditions outlined here in.

Customer retains full liability for publication or distribution of a number prior to connection of the service to the proper facility.

Authorized Signature: _____

Print Authorized Name: Henry Reese Butler II Date: 3/24/2006

Title: President

Phone Number: 703-924-6167

(For RESP ORG use Only)		Current RESP ORG:
Requested Date of Transfer:	Time: _____	AM/PM

ATTACHMENT

B

(CORRECTED)

Text of E-mail from Doug Livingston, Patriot Communications to Reese Butler, Kristin Brooks Hope Center:

Reese...

The definition of a subscriber is the end user who pays for the usage generated by the toll-free telephone number. Therefore, Patriot Communications is the current subscriber of the toll-free telephone numbers in question, since Patriot has paid for the usage generated by the toll-free telephone numbers. KBHC has not paid for the usage. Furthermore, I don't understand what you mean by stating that you continue to be willing to pay your debt to Patriot. You were contracted to do so for the services we provided.

As I have stated before, if we receive payment from KBHC for \$67,897.84, as well as payment from SAMHSA for whatever balance they owe since August 25, 2006, we will release the toll-free telephone numbers. At this point, I really don't care to whom we release the numbers.

Reese, I have been extremely accommodating to all of the parties, even though we've not been paid, we've incurred legal fees, and I personally have been harassed and threatened by KBHC supporters at my office and home.

Thank you.

Doug Livingston

Patriot Communications

ATTACHMENT

C

www.scmv.com
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619.685.3100 FAX

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750 B STREET
SAN DIEGO, CALIFORNIA 92101

S E L T Z E R | C A P L A N | M C M A H O N | V I T E K

A LAW CORPORATION

LEE E. HEJMANOWSKI, ESQ.

hejmanowski@scmv.com
619.685.3043
619.702.6841 FAX

FAX COVER SHEET

TO: Danny E. Adams, Esq.	FAX NO.	(202) 342-8451
Eric B. Broderick, D.D.S., M.P.H.	FAX NO.	(240) 276-2010
Richard McKeon	FAX NO.	(240) 276-2010
Rina Hakimian, J.D., MPH	FAX NO.	(301) 443-2639
Constance Foster	FAX NO.	(301) 443-2639
William A. Haas	FAX NO.	(319) 790-7901

FROM: Lee E. Hejmanowski, Esq.

DATE: November 28, 2006

DOCUMENT

TRANSMITTED: Letter of today's date regarding SAMHSA toll-free numbers

OUR FILE NUMBER: 02586.57481 ORIGINAL: ☒ WILL BE MAILED ☐ WILL NOT BE MAILED

OUR CASE NAME: *Patriot Communications LLC v. Kristin Brooks Hope Center*

ADDITIONAL

COMMENTS: For your review and file.

CONFIRMATION

NUMBER: (619) 685-3118 (MaryLou A. Quayle)

TOTAL NUMBER OF PAGES IN THIS TRANSMISSION: ****4**** (including cover sheet)

If you are not receiving properly or have not received all pages, please phone MaryLou A. Quayle immediately at: (619) 685-3118. Thank you.

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ROBERT CAPLAN
GERALD L. McMAHON
REGINALD A. VITEK
DAVID J. BORNE
JAMES R. DAWE
BRIAN T. SELTZER
ELIZABETH A. SMITH-CHAVEZ
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DENNIS J. WICKHAM
JOHN N. ALSPAUGH
JAMES P. DELPHY
ELINDA T. MERIDETH
MICHAEL G. NARDE
THOMAS P. STEINKE
NEAL P. PANISH
SEAN T. MANGADEN
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TRACY A. WARREN
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OF COUNSEL
M. CHRISTINE TENNISON

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November 28, 2006

VIA FACSIMILE AND U.S. MAIL

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Rockville, MD 20857

William A. Haas
V.P. and Deputy General Counsel
McLeodUSA Telecommunications
Services, Inc.
6400 C Street, SW
Cedar Rapids, IA 52406

RE: *Patriot Communications LLC v. Kristin Brooks Hope Center*
Our File No. 02586.57481

Dear Ladies and Gentlemen:

This firm represents Patriot Communications LLC ("Patriot"). Patriot is the subscriber of record for the following toll-free telephone numbers, all of which Patriot has been supporting on behalf of the Substance Abuse and Mental Health Services Administration ("SAMHSA") since August 25, 2006:

(800) 784-2433	(1 (800) SUICIDE)
(877) 784-2432	(1 (877) SUICIDA)
(888) 784-2433	(1 (888) SUICIDE)
(800) 442-4673	

S E L T Z E R | C A P L A N | M O M A H O N | V I T E K

Danny E. Adams, Esq.
Dr. Eric B. Broderick
Mr. Richard McKeon
Rina Hakimian, JD., MPH
Constance Foster, Esq.
Ms. Heather Hendricksen
William A. Haas, Esq.
November 28, 2006
Page 2

(800) 722-9498
(800) 827-7571
(866) 672-7733
(866) 771-1276
(866) 968-8454
(877) 495-0009
(877) 838-2838
(888) 861-8460

SAMHSA wishes for Patriot to continue to support only the following three (3) toll-free telephone numbers:

(800) 784-2433	(1 (800) SUICIDE)
(877) 784-2432	(1 (877) SUICIDA)
(888) 784-2433	(1 (888) SUICIDE)

Patriot suggests Kristin Brooks Hope Center ("KBHC") submit a change of Resporg request for the balance of the toll-free telephone numbers listed above, so that another service provider may support them. Alternatively, Patriot will release those toll-free telephone numbers back to the toll-free telephone number administrator.

Patriot is ready, willing and able to continue to support the other three (3) toll-free telephone numbers. We understand that KBHC contends that Patriot cannot support those toll-free telephone numbers. Patriot disagrees with that contention. The relative merits of the parties' positions should not be their focus at this time.

Fortunately, all stake holders share a common goal of ensuring that these toll-free telephone numbers continue to be supported so that a vital public service is available to persons in crisis. Indeed, KBHC stated on or around August 25, 2006 that it would donate 1 (800) SUICIDE ((800) 784-2433) to SAMHSA at no cost.

While Patriot would be pleased to continue to support the suicide-prevention toll-free telephone numbers, it is not willing to do so unless SAMHSA and KBHC confirm in a binding, written agreement that Patriot may do so and that KBHC will assert no claims against Patriot for having done so or continuing to do so. Absent an agreement in writing from KBHC and SAMHSA by January 8, 2007, acknowledging Patriot may continue to support these toll-free telephone numbers, and that no claims will be made

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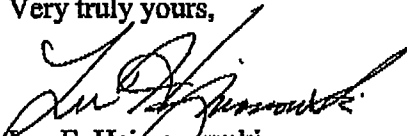
Danny E. Adams, Esq.
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Mr. Richard McKeon
Rina Hakimian, JD., MPH
Constance Foster, Esq.
Ms. Heather Hendricksen
William A. Haas, Esq.
November 28, 2006
Page 3

for Patriot's doing so or having done so in the past, Patriot will cease routing telephone calls to the toll-free telephone numbers at 12:01 am on January 9, 2007 and will post an outgoing message directing callers to call 1-800-273-TALK for assistance.

Patriot is committed, given the current conditions, to supporting the toll-free telephone numbers through the critical holiday season. Patriot trusts and anticipates that before January 8, 2007, one or more written agreements and releases among SAMHSA or its designee, Patriot and KBHC will be executed. We remain hopeful that no interruption in services will be required, but wanted to express Patriot's position clearly, and early, so that all interested parties may plan accordingly.

We look forward to hearing that SAMHSA and KBHC have agreed that Patriot may continue to support these important toll-free telephone numbers so that such an agreement may be documented in a timely manner.

Very truly yours,



Lee E. Hejmanowski
Seltzer Caplan McMahon Vitek
A Law Corporation

LEH/mlq

cc: Douglas S. Livingston, President and COO
Patriot Communications, LLC

ATTACHMENT

D

Dec 11 06 02:53p

12/11/2006 16:54

913197982258

IMP

PAGE 3
03

Dec 08 08 12:53p

Rich Jones

619-269-0364

p. 1

RESPONSIBLE ORGANIZATION DESIGNATION AND AGREEMENT AGENCY

I HEREBY DESIGNATE MICKTEL CORPORATION (MICK) AS RESPONSIBLE ("RESPORG") FOR THE FOLLOWING TOLL FREE SERVICE TELEPHONE NUMBERS. I FURTHER DESIGNATE MICKTEL CORPORATION (MICK) TO ACT AS MY AGENT TO TRANSFER "RESPORG" FUNCTIONS TO MICKTEL CORPORATION (MICK). THESE DESIGNATIONS SUPERSEDE ALL PRIOR "RESPORG" DESIGNATED PERTAINING TO THESE TOLL FREE SERVICE NUMBERS.

COMPANY BILLING NAME: Kristin Brooks Hope Center

COMPANY BILLING ADDRESS: PO Box 15393 Alexandria VA 22315-1293

COMPANY CONTACT: E. Renee Butler

PHONE: 202-536-3280

FAX: 202-536-3286

AUTHORIZED
BY (Signature):

Date: 10/18/2006

PRINT NAME: E. Renee Butler II

NUMBER(S)

800-472-3457

888-861-8460

800-722-9498

877-838-2838

866-968-8454

800-827-7571

866-771-1276

877-495-0009

OLD RESPONSIBLE ORGANIZATION: ACCOZ

NEW RESPONSIBLE ORGANIZATION: MICK

MICKTEL CORPORATION: RICH JONES - PHONE: 800-433-2746 x 102

FAX: 858-565-4455

EMAIL: rjones@800ideas.com

ADDRESS: 8305 VICKERS ST. #206, SAN DIEGO, CA 92111

Dec 11 06 02:52p

12/11/2006 16:54

913197982258

IMP

P. 2
PAGE 02

Dec 08 06 12:51p

Rich Jones

619-269-0364

p. 1

RESPONSIBLE ORGANIZATION DESIGNATION AND AGREEMENT AGENCY

I HEREBY DESIGNATE MICKTEL CORPORATION (MJC01) AS RESPONSIBLE ("RESPORG") FOR THE FOLLOWING TOLL FREE SERVICE TELEPHONE NUMBERS. I FURTHER DESIGNATE MICKTEL CORPORATION (MJC01) TO ACT AS MY AGENT TO TRANSFER "RESPORG" FUNCTIONS TO MICKTEL CORPORATION (MJC01). THESE DESIGNATIONS SUPERSEDE ALL PRIOR "RESPORG" DESIGNATED PERTAINING TO THESE TOLL FREE SERVICE NUMBERS.

COMPANY BILLING NAME: Kristin Brooks Hope Center

COMPANY BILLING ADDRESS: PO Box 15193 Alexandria VA 22315-1193

COMPANY CONTACT: E. Rene Butler

PHONE: 202-636-3206

FAX: 202-636-3206

AUTHORIZED

BY (Signature):

Date: 10/10/2006

PRINT NAME: H. Rene Butler II

NUMBER(S)

800-784-2433

877-784-2432

800-442-4673

888-784-2433

OLD RESPONSIBLE ORGANIZATION: ACC02

NEW RESPONSIBLE ORGANIZATION: MJC01

MICKTEL CORPORATION: RICH JONES - PHONE: 800-433-2746 x 182

FAX: 858-565-4453

EMAIL: rjones@2880ideas.com

ADDRESS: 8305 VICKERS ST. #206, SAN DIEGO, CA 92111

RESPONSIBLE ORGANIZATON DESIGNATION AND AGREEMENT AGENCY

I HEREBY DESIGNATE MICKTEL CORPORATION (MJC01) AS RESPONSIBLE ("RESPORG") FOR THE FOLLOWING TOLL FREE SERVICE TELEPHONE NUMBERS. I FURTHER DESIGNATE MICKTEL CORPORATION (MJC01) TO ACT AS MY AGENT TO TRANSFER "RESPORG" FUNCTIONS TO MICKTEL CORPORATION (MJC01). THESE DESIGNATIONS SUPERSEDE ALL PRIOR "RESPORG" DESIGNATED PERTAINING TO THESE TOLL FREE SERVICE NUMBERS.

COMPANY BILLING NAME: Kristin Brooke Hope Cntr

COMPANY BILLING ADDRESS: 615 7th Street NE Washington DC 20002

COMPANY CONTACT: H. Reese Butler II

PHONE: 202-536-3200

FAX: 202-536-3206

AUTHORIZED
BY (Signature):

Date: 10/18/2006

PRINT NAME: H. Reese Butler II

NUMBER(S)

800-773-6667

877-968-8454

OLD RESPONSIBLE ORGANIZATON: ACC02

NEW RESPONSIBLE ORGANIZATON: MJC01

MICKTEL CORPORATION: RICH JONES - PHONE: 800-433-2746 x 102

FAX: 858-565-4455

EMAIL: rjones@800ideas.com

ADDRESS: 8305 VICKERS ST. #206, SAN DIEGO, CA 92111

ATTACHMENT

E

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DANNY E. ADAMS

DIRECT LINE: (202) 342-8889

EMAIL: dadams@kelleydrye.com

October 23, 2006

Mr. William A. Haas
Vice President and Deputy General Counsel
McLeodUSA Telecommunications Services, Inc.
6400 C Street, S.W.
Cedar Rapids, IA 52406

Mr. Doug Livingston
President and Chief Operating Officer
Patriot Communications LLC
10441 W. Jefferson Boulevard
Culver City, CA 90232-3512

Re: Request to cease and desist illegal transfer of toll-free numbers

Dear Gentlemen:

I am writing on behalf of my client, the Kristin Brooks Hope Center ("KBHC"), in response to apparent misunderstandings of the law on the part of Patriot Communications LLC ("PatriotNet"), McLeodUSA Telecommunications Services ("McLeod"), and the Substance Abuse and Mental Health Services Administration ("SAMHSA"). Specifically, KBHC has for many years been the subscriber of record to and had the legal right to use several toll-free numbers, including 800-SUICIDE. All of these numbers are used as part of KBHC's non-profit suicide prevention activities. It is my understanding that PatriotNet is seeking to commandeer one or more of these numbers as its own and transfer the number(s) to another end user – SAMHSA or its grantee, Link2Health Solutions Inc. I further understand that McLeod, as the Resp Org for these numbers, is cooperating in this illegal activity by refusing to allow KBHC to move its toll free numbers to another Resp Org. This refusal to transfer toll-free numbers is in violation of FCC rules, telephone company tariffs, and the terms of McLeod's Resp Org authorization. Further, PatriotNet's claim to any control over the numbers is in error and would represent an unlawful transfer of the toll free numbers from one user (KBHC) to another (PatriotNet). Moreover, any public use of the 800-SUICIDE trademark held by KBHC will

KELLEY DRYE & WARREN LLP

Mr. William A. Haas
Mr. Doug Livingston
October 23, 2006
Page Two

result in an infringement of that mark as well.¹ This letter puts all parties on notice of these facts, making any future violations knowing and willful.

Telephone number assignments, including toll-free numbers, are governed by the Federal Communications Commission and its designee, the North American Numbering Plan Administrator (currently Neustar, Inc.).² Toll-free numbers may only be assigned and transferred in accordance with the rules and regulations promulgated by the FCC and NANPA. These rules are found at 47 C.F.R. § 52.101 et. seq., the tariff is SMS/800 Functions Tariff F.C.C. No. 1 ("SMS/800 Tariff"), and the accompanying industry guidelines may be found at ATIS/OBF-TFG-013, Issue 13 (July 2003)("Toll Free Guidelines").

A review of these regulations makes clear that: (1) "no individual or entity ... has a proprietary interest in any given toll free number; however, subscribers do have a controlling interest in their active numbers";³ (2) numbers may not be transferred from one end user to another, but instead must be returned to the numbering pool for a quiet period and then are available on a first come, first served basis;⁴ (3) carriers may not seize control of toll-free numbers or transfer them to other users as a means of bill collection;⁵ and (4) Resp Orgs are obligated to respect the requests of subscribers or their agents when transfers are sought.⁶ Resp Orgs and carriers are expected to have knowledge of these rules and requirements as part of their continuing authorization to operate as such.

¹ 15 U.S.C. §§ 1051-1127.

² 47 C.F.R. § 52.3 ("The Commission shall have exclusive authority over those portions of the North American Numbering Plan (NANP) that pertain to the United States. The Commission may delegate to the States or other entities any portion of such jurisdiction.")

³ SMS/800 Tariff, § 2.3.1(A)(7).

⁴ SMS/800 Tariff, § 2.2.1 ("The Resp Org will not perform any functions using the SMS/800 which are not expressly provided for under this tariff . . . Any violation of this paragraph may result in immediate termination of service by the company.).

⁵ SMS/800 Tariff, § 2.3.1(A)(8)("All entities (e.g., Resp Orgs, subscribers, service providers) are prohibited from selling, brokering, bartering, and releasing for a fee (or otherwise) any toll-free 800 number.")

⁶ SMS/800 Tariff, § 2.3.1(C)("The current Resp Org *will release* the 800 subscriber's SMS/800 records to the receiving (new) Resp Org within two (2) days of the receipt of the request.")(emphasis added).

KELLEY DRYE & WARREN LLP

Mr. William A. Haas
Mr. Doug Livingston
October 23, 2006
Page Three

However, in an e-mail exchange with KBHC, PatriotNet has asserted that it has become the "subscriber" because KBHC has outstanding invoices – this is flatly wrong and suggests an unlawful transfer of a toll-free number;⁷ PatriotNet's further proposal to transfer the number to another end user – SAMHSA – is also unlawful for the same reasons, as well as violating the prohibition against transferring numbers for profit. KBHC has recently submitted a Resp Org change form to McLeod to move two of its toll free numbers to a different Resp Org. The rejection of those requests is a violation of McLeod's duty as a Resp Org to release an 800 subscriber's SMS/800 record numbers upon request.⁸

By this letter we ask that McLeod cease and desist its unlawful refusals to transfer the numbers to another Resp Org. We further ask that PatriotNet cease and desist its unlawful claims to be the subscriber of any of KBHC's toll free numbers. Failure to give prompt agreement to these requests will force KBHC to move this matter to the Federal Communications Commission or the courts for resolution and injunctive relief. In view of the clear and blatant rule violations that have been already been threatened verbally and in e-mails, we believe the better approach for all concerned is to honor KBHC's Resp Org transfer requests and its right to control its own toll free numbers.

Please direct any correspondence or inquiries to the undersigned.

Sincerely,



Danny E. Adams
Counsel to Kristin Brooks Hope Center

cc: Lee E. Hejmanowski, Esq., Seltzer Caplan McMahon Vitek
Eric Broderick, Administrator, SAMHSA
Kana Enomoto, SAMHSA

⁷ PatriotNet's assertion that it can 'foreclose' on the 800-SUICIDE number and then transfer it to another entity is in clear violation of SMS/800 Tariff, § 2.3.1 prohibiting "selling, brokering, bartering, and releasing for a fee (or otherwise) any toll-free 800 number."

⁸ SMS/800 Tariff, § 2.3.1(C) ("The current Resp Org *will release* the 800 subscriber's SMS/800 records to the receiving (new) Resp Org within two (2) days of the receipt of the request.") (emphasis added).

ATTACHMENT

F

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PARSIPPANY, NJ

BRUSSELS, BELGIUM

AFFILIATE OFFICES
MUMBAI, INDIA

November 28, 2006

Mr. William A. Haas
Vice President and Deputy General Counsel
McLeodUSA Telecommunications Services, Inc.
6400 C Street S.W.
Cedar Rapids, IA 52406

Re: Refusal to transfer toll-free numbers to the RespOrg of the user's choice

Dear Mr. Haas:

On October 23, 2006, I wrote to you concerning the refusal of McLeodUSA to honor a request from the Kristin Brooks Hope Center for the transfer of certain toll-free numbers from McLeodUSA to a different RespOrg. I am writing you today because McLeodUSA personnel again are engaging in the same unlawful conduct.

As you may recall, KBHC is a non-profit suicide prevention organization that operates several toll-free numbers to further its mission. The carrier for these numbers is Patriot Communications and the RespOrg is McLeodUSA. Prior to my October 23 letter, McLeodUSA personnel were refusing to honor RespOrg transfer requests made by KBHC pursuant to instructions from PatriotNet. Following my letter's explanation of the law in this area – specifically that KBHC is the customer of record for the toll-free numbers and, as such, has complete and total discretion to choose its RespOrg – McLeodUSA honored KBHC's request to move two of its toll-free numbers to a different RespOrg.

In recent days, however, KBHC's agent made a request to transfer its remaining toll-free numbers to a new RespOrg. This request was refused on an absurdly thinly veiled rationale - that KBHC had incorrectly spelled its own name. In fact, the spelling was exactly the same as the previous request and was abbreviated to accommodate the limitation on the number of characters which the request form will permit. Nonetheless, a new form is being submitted today with the preferred spelling as shown on KBHC's invoices. I strongly suspect that McLeod personnel will refuse or delay this request as well, unless ordered not to do so by senior management such as yourself.

KELLEY DRYE & WARREN LLP

Mr. William A. Haas
November 28, 2006
Page Two

This letter is to seek your assistance in ensuring that McLeod personnel promptly honor the request to transfer the numbers as the law requires. As you know, and as my October 23 letter explained, McLeodUSA has no legal basis on which to refuse to honor KBHC's request. It appears that prior refusals have been in participation and support of an attempt by PatriotNet to reassign one of KBHC's most important numbers, 800-SUICIDE, to another end user for remuneration. Further, as you also know and my October 23 letter explained, such reassignments are in violation of FCC rules and tariffs governing the transfer of toll-free numbers. The motivation for PatriotNet to attempt this unlawful transfer is obvious, as made clear by e-mail communications to KBHC from PatriotNet senior management; McLeodUSA's motivation to aid and abet PatriotNet in this effort is less understandable. Given the notice and explanation in my prior letter, any current violations of FCC rules and tariffs are knowing and intentional.

By calling this situation to your attention, I am hopeful that you will explain the law to McLeodUSA personnel and urge them to observe their lawful obligations as a RespOrg by honoring the request to transfer KBHC's toll-free numbers. If so, McLeodUSA likely will be free from any further involvement in this dispute. If McLeod instead chooses to continue participating in the effort to transfer KBHC's numbers to other end users, it likely will be dragged needlessly into further litigation and potentially jeopardize its RespOrg status. I hope that you are able to convince your company to do the right thing.

Please direct any correspondence or inquiries to the undersigned.

Sincerely,

Danny E. Adams
Counsel to Kristin Brooks Hope Center

ATTACHMENT

G



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary
Office of the General CounselPublic Health Division
Room 4A-53 Parklawn Bldg.
5600 Fishers Lane
Rockville, MD 20857
(301) 443-2644
FAX: (301) 443-2639

November 15, 2006

Danny E. Adams
Kelley Drye & Warren
Washington Harbour, Suite 400
3050 K Street, NW
Washington, D.C. 20007-5108

Re: Kristin Brooks Hope Center

Dear Mr. Adams:

We represent the Substance Abuse and Mental Health Services Administration (SAMHSA), a component of the U.S. Department of Health and Human Services (HHS). We have reviewed the letter dated October 23, 2006 sent on behalf of your client, the Kristin Brooks Hope Center (KBHC) to Patriot Communications and McLeodUSA Telecommunications Services, Inc. We have also received a copy of your e-mail dated October 31, 2006 to Dr. Eric Broderick.

There are a number of issues raised in your letter and e-mail that should be addressed as expeditiously as possible. First, we note that KBHC advised SAMHSA on August 25, 2006, that the KBHC board had agreed to transfer 1-800-SUICIDE (800-784-2433) to SAMHSA in order to assure its continued operation. On that date, KBHC and Reese Butler agreed to relinquish control of the toll free number and to assign control of 1-800-SUICIDE to SAMHSA, consistent with FCC rules. Thus, on August 25, 2006, SAMHSA assumed financial and operational responsibility for 1-800-SUICIDE.

SAMHSA also agreed to assume financial and operational responsibility for certain other lines previously supported by KBHC and Patriot Communications, for the 30-day period following August 25, 2006. SAMHSA continued to support these lines beyond that period to enable a review of these lines and the services provided. SAMHSA intends to advise Patriot Communications that beginning December 1, 2006, it will cease supporting the following lines: (800) 773-6667; (877) 968-8454; (800) 472-3457; (866) 968-8454; (877) 838-2838; (877) 495-0009. Please note that Patriot Communications notified SAMHSA that it released the RESPORG for numbers (877) 968-8454 and (800) 773-6667 from McLeodUSA to Micktel Corporation earlier this month. SAMHSA will continue support for each of the following toll free numbers: (800) 784-2433, (877) 784-2432, (888) 784-2433, (800) 442-4673, (800) 827-7571.

Page 2 - Danny E. Adams


Further, we understand that Mr. Butler has advised SAMHSA of potential or suggested routing changes for calls to certain crisis centers. Please provide specific information regarding these requested changes and we will forward this additional information to SAMHSA for review.

Finally, SAMHSA remains willing to settle all disputes with regard to cost-related claims under Grant #U79 SM 54127, awarded by SAMHSA to the American Association of Suicidology (AAS). Of course, any final settlement will be contingent upon KBHC's and AAS's agreement that no further claims will be asserted as to Grant #U79 SM 54127.

In addition, please note that we have been advised that Mr. Butler wishes to obtain a copy of an internal financial review that was prepared by SAMHSA. We are in the process of reviewing this request and will respond shortly.

If you have additional questions or wish to discuss any of the above, please contact me or my colleague Constance Foster at 301-443-2644. Thank you very much for your cooperation and assistance.

Sincerely,



Rina Hakimian
Attorney
SAMHSA Team

cc: Dr. Eric Broderick, SAMHSA

ATTACHMENT

H

**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Office of the Secretary
Office of the General Counsel

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November 29, 2006

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445 12th Street, SW
Washington DC 20554

William A. Haas
V.P. and Deputy General Counsel
McLeodUSA Telecommunications Services, Inc.
6400 C Street, SW
Cedar Rapids, IA 52406

Re: Toll Free Telephone Numbers

Dear Mr. Hejmanowski:

We represent the Substance Abuse and Mental Health Services Administration (SAMHSA), a component of the U.S. Department of Health and Human Services (HHS). We have reviewed the letter dated November 28, 2006 sent on behalf of your client, Patriot Communications LLC (Patriot).

A more comprehensive response will be forthcoming. However, in the meantime, please note that SAMHSA would like for Patriot to continue support for the following three toll free telephone lines identified in your letter:

Page 2 – Lee E. Hejmanowski

(800) 784-2433	1-800-SUICIDE
(877) 784-2432	1-877-SUICIDA
(888) 784-2433	1-888-SUICIDE

In addition to the above, SAMHSA wishes for Patriot to continue to support the following two toll free telephone lines:

(800) 442-4673
(800) 827-7571

If you have additional questions or wish to discuss any of the above, please contact me or my colleague Constance Foster at 301-443-2644. Thank you very much for your cooperation.

Sincerely,



Rina Hakimian
Attorney
SAMHSA Team

cc: Eric Broderick, D.D.S., M.P.H., SAMHSA

ATTACHMENT

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December 4, 2006

VIA FACSIMILE AND U.S. MAIL

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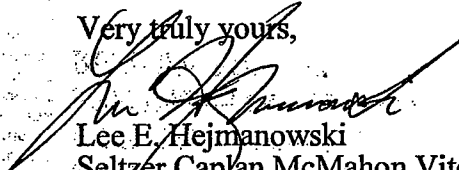
William A. Haas
 V.P. and Deputy General Counsel
 McLeodUSA Tel. Comm. Services
 6400 C Street, SW
 Cedar Rapids, IA 52406

RE: *Patriot Communications LLC v. Kristin Brooks Hope Center*
 Our File No. 02586.57481

Dear Ladies and Gentlemen:

We have reviewed Ms. Hakimian's November 29, 2006 clarification regarding SAMHSA's request that Patriot Communications LLC ("Patriot") also continue to support the toll free lines (800) 442-4673 and (800) 827-7571. Patriot is willing to support those numbers after January 8, 2007.

Very truly yours,


 Lee E. Hejmanowski
 Seltzer Caplan McMahon Vitek
 A Law Corporation
 LEH/mlq

cc: Douglas S. Livingston, President and COO
 Patriot Communications, LLC

¹ ADMITTED IN TEXAS ONLY

ATTACHMENT

J

McLeodUSA
Resporg Reject Sheet

To: MJC01

Date: 12/11/06

Fax: 858-565-4455

Number of Pages: 3

- 1: Company Name Mismatch**
- 2: Address Mismatch**
- 3: Signature Mismatch**
- 4: Non Portable / Shared Number**

If questions please contact us at
Phone: 8887378335
Fax: 9184193622